

U.S. Patent and Trademark Office, Commerce

§ 1.484

handling fee or preliminary examination fee payable is the handling fee or preliminary examination fee in effect on the date of payment.

(1) If the handling and preliminary examination fees are not paid within the time period set in PCT Rule 57.3, applicant will be notified and given one month within which to pay the deficient fees plus a late payment fee equal to the greater of:

(i) Fifty percent of the amount of the deficient fees, but not exceeding an amount equal to double the handling fee; or

(ii) An amount equal to the handling fee (PCT Rule 58bis.2).

(2) The one-month time limit set in this paragraph to pay deficient fees may not be extended.

(b) If the payment needed to cover the handling and preliminary examination fees, pursuant to paragraph (a) of this section, is not timely made in accordance with PCT Rule 58bis.1(d), the United States International Preliminary Examination Authority will declare the Demand to be considered as if it had not been submitted.

[63 FR 29619, June 1, 1998, as amended at 68 FR 59888, Oct. 20, 2003]

§ 1.482 International preliminary examination fees.

(a) The following fees and charges for international preliminary examination are established by the Director under the authority of 35 U.S.C. 376:

(1) The following preliminary examination fee is due on filing the Demand:

(i) If an international search fee as set forth in § 1.445(a)(2) has been paid on the international application to the United States Patent and Trademark Office as an International Searching Authority:

(A) For an international preliminary examination fee paid on or after January 1, 2014:	
By a micro entity	
(\$1.29)	\$150.00
By a small entity	
(\$1.27(a))	\$300.00
By other than a small or micro entity	\$600.00

(B) For an international preliminary examination fee paid before January 1, 2014	\$600.00
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(ii) If the International Searching Authority for the international application was an authority other than the United States Patent and Trademark Office:

(A) For an international preliminary examination fee paid on or after January 1, 2014:	
By a micro entity	
(\$1.29)	\$190.00
By a small entity	
(\$1.27(a))	\$380.00
By other than a small or micro entity	\$760.00

(B) For an international preliminary examination fee paid before January 1, 2014	\$750.00.
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(2) An additional preliminary examination fee when required, per additional invention:

(i) If the international preliminary examination fee set forth in paragraph (a)(1) of this section was paid on or after January 1, 2014:	
By a micro entity	
(\$1.29)	\$150.00
By a small entity	
(\$1.27(a))	\$300.00
By other than a small or micro entity	\$600.00

(ii) If the international preliminary examination fee set forth in paragraph (a)(1) of this section was paid before January 1, 2014	\$600.00
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(b) The handling fee is due on filing the Demand and shall be prescribed in PCT Rule 57.

[78 FR 17107, Mar. 20, 2013]

§ 1.484 Conduct of international preliminary examination.

(a) An international preliminary examination will be conducted to formulate a non-binding opinion as to whether the claimed invention has novelty,